GPN-J.332-ARCHB-8.94-1310500-ALA4 Spl-H.C.A.S.C.D.79e

FARAD CONTINUATION SHEET No.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

C.A. (ST) NO. 26973 OF 2004
WITH
WRIT PETITION (ST) No. 35459 OF 2003

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Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.)

Court's or Judge's orders

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Mr. Praful B.Shah for Applicant.

Mr. C.R. Sonawane, A.G.P. for Respondents.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 18, 2005

P.C.

. Taken on board and heard forthwith. The learned counsel seeks leave to strike out name of Petitioner No. 3. In the light of that name of Petitioner No. 3 struck off.

. The land originally belonging to Petitioner has been acquired. It is their grievance that they had applied for the return of the land as the same was not used. That is not done. Apart from that it is pointed out that the land is now been encroached upon and Respondents are taking no steps in the matter.

. Considering the controversy, we direct Respondents within three months from today to take steps to remove any encroachments on the acquired land as public money has been used to acquire the said land. The respondent to file compliance report before this court on the encroachments being removed. Copy of this order be served by Petitioner on Respondent Nos. 1 and 2. Respondents to act on the copy being served and petition disposed of accordingly. No order as to costs. Petition along with Application disposed of accordingly.

(F.I.REBELLO,J.)

(S.P.KUKDAY,J.)